

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**AKSARBEN PROPERTY
MANAGEMENT, LLC,**

Plaintiff,

vs.

**GARY SORENSEN and GSGC LEASING,
L.L.C.,**

Defendants.

8:23CV151

ORDER

This matter is before the Court on Defendants' Stipulated Motion to Set Aside Default Judgment and for Leave to File a Responsive Pleading ([Filing No. 16](#)). In support of the motion, Defendants recognize that Plaintiff filed its Complaint ([Filing No. 1](#)) on April 17, 2023, and served Defendants on April 21, 2023, but due to an inadvertent mistake, Defendants filed their answer on May 15, 2023, rather than May 12, 2023. (Filing Nos. 17-18). As a result of the missed deadline, Plaintiff moved for the Clerk of Court to enter default against Defendant on May 15, 2023, (Filing Nos. 8-9) and the Clerk entered default against Defendants the same date. ([Filing No. 10](#)). Defendants now ask the Court to vacate the Clerk of Court's entry of default because of Defendant's mistake. Plaintiff does not oppose Defendants' Motion.

"The court may set aside an entry of default for good cause." Fed. R. Civ. P. 55(c). The Court finds good cause exists to set aside the entry of default to permit this case to be decided on its merits. Accordingly,

IT IS ORDERED:

1. Defendants' Stipulated Motion to Set Aside Default Judgment and for Leave to File a Responsive Pleading ([Filing No. 16](#)) is granted.
2. The Clerk of Court's Entry of Default ([Filing No. 10](#)) is hereby set aside; and
3. Defendants' Answer to the Complaint ([Filing No. 12](#)) is accepted as filed.

Dated this 22nd day of May, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge